

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER

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DATE

**January 08, 2020**

MOTOR CARRIER MATTER

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DOCKET NO.

**2019-351-E**

UTILITIES MATTER

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ORDER NO.

**2020-33**

**THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.**

**SUBJECT:**

[DOCKET NO. 2019-351-E](#) - Frederick Howard, Complainant/Petitioner v. Duke Energy Carolinas, LLC, Defendant/Respondent - Staff Presents for Commission Consideration Duke Energy Carolinas, LLC's Motion to Dismiss.

**COMMISSION ACTION:**

Mr. and Mrs. Howard have filed no fewer than six complaints against Duke Energy Carolinas, LLC since January 2017. In every such complaint, they requested that the Commission order Duke to allow them to enter a payment plan and forestall disconnection for lack of payment. In each of the first three complaint dockets, Duke entered into agreements with the Howards, and the Howards consented to dismissal of their complaints. In the fourth complaint, the Commission granted Duke's motion to dismiss, finding that the Howards had not alleged any violation of law or raised any issue for which the Commission could grant any relief. Following the filing of their fifth complaint, Mr. Howard proposed another payment schedule, and the Commission ordered the implementation of the proposed payment schedule as requested. However, the Commission also held that if the Howards failed to meet their obligations under the schedule they proposed, it would result in dismissal of their complaint – and presumably disconnection of service in accordance of Commission regulations – without any further Commission action. Several months thereafter, the Howards' account was again in arrears, and they filed their sixth complaint, again seeking Commission intervention to secure alternate payment arrangements but making no allegation of unlawful actions by Duke.

The Commission's complaint process exists to adjudicate disputes or claims, not to create delay for customers who are subject to disconnection because they failed to pay their bill. I move that we dismiss the Howards' complaint, and further, that we instruct the Chief Clerk to reject any filing by the Howards from today's date forward which does not allege a violation of law. Commission Regulation 103-817(B)(2) provides that the Chief Clerk may refuse to accept for filing any pleading which does not conform to the rules of the Commission, and the Clerk shall mail written notice to the party or the authorized representative within ten days after receipt, stating why it has not been accepted for filing.

PRESIDING: RandallSESSION: Regular

TIME: 2:00 p.m.

MOTION YES NO OTHER

BELSER

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HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
WHITFIELD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Annual Leave
WILLIAMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Military Leave

(SEAL)

RECORDED BY: J. Schmieding

